

**RECEIVED**  
**CENTRAL FAX CENTER**  
**FEB 11 2005**

SIMTEK5685

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Appellants: Tatsuya Anna  
Hideaki Takabashi

App. No.: 09/742751

Filed: December 20, 2000

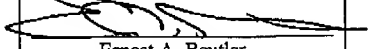
Title: SINGLE-PHASE MULTIPOLAR  
MAGNET TYPE GENERATOR  
FOR VEHICLES

Art Unit: 2834

Conf. No: 6449

I hereby certify that this correspondence and all  
marked attachments are being deposited with  
the United States Patent Office via fax to (703)  
872-9319 on:

February 11, 2005



Ernest A. Beutler  
Reg. No. 19901

**REQUEST FOR CLARIFICATION  
AND WITHDRAWAL OF NEW EXAMINER'S ANSWER**

Commissioner for Patents  
Alexandria, VA 22313-1450

Sir:

Appellants filed their Brief on Appeal in this case under a Certificate of Mailing, dated December 2, 2002. More than three months later on March 6, 2003, the Examiner's Answer was mailed. In response thereto on March 13, 2003 appellants filed a request for an Oral Hearing. Now in checking the PARE records to find if the Appeal has been docketed, the undersigned finds that a new and different Brief was mailed to his old address on December 22, 2004, some 20 months after the request for Oral Hearing. Those Pare records show the mail was returned as undeliverable, but the undersigned has obtained a copy from the Office Files and sees that the Examiner has after 21 months after his first brief citing new and unsupplied art as well as changing in some regards his earlier position.

It is requested that the Examiner supply his authority for this highly unusual position in the light of no change in appellants' position and absent any apparent authority for such action. Also are appellants afforded an opportunity to further reply including the opportunity to either amend or file a substitute brief?

Respectfully submitted,



Ernest A. Beutler  
Registration No:19901  
10 Rue Marseille  
Newport Beach, Ca 92660  
(949) 721-1182 Pacific Time